

Article - Education

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§23–610.

(a) (1) Except where abridged by an express provision of a collective bargaining agreement, the employer shall retain the exclusive right and authority, at its discretion, to maintain the order and efficiency of the public service entrusted to it and to operate and manage the affairs of the employer in all aspects, including all rights and authority held by the employer before entering into a collective bargaining agreement under § 23–607 of this subtitle.

(2) The rights and authority retained by the employer under paragraph (1) of this subsection include those provided by State or local law.

(b) Specific rights and responsibilities retained by the employer under subsection (a) of this section include the right and responsibility to:

(1) Determine the purposes and objectives of each of the employer's offices and departments;

(2) Set standards of services to be offered to the public;

(3) Determine the methods, means, personnel, budget, and other resources by which the employer's operations are to be conducted;

(4) Exercise control and discretion over the employer's organization and operations;

(5) Direct its employees;

(6) Hire, promote, transfer, assign, or retain employees;

(7) Establish work rules;

(8) Demote, suspend, discharge, or take any other appropriate disciplinary action against its employees for just cause in accordance with applicable laws;

(9) Relieve employees from duty because of lack of work or other legitimate reasons;

(10) Determine:

(i) The mission, budget, organization, and number of employees of the employer;

(ii) The number, type, and grade of employees assigned;

(iii) The work project, tour of duty, and methods and processes by which the work has to be performed;

(iv) The technology needed by the employer;

(v) The internal security practices of the employer; and

(vi) The relocation of facilities needed by the employer;

(11) Determine the qualifications of employees for appointment, promotion, and step increases and to set standards of performance, appearance, and conduct of employees;

(12) Judge skill, ability, and physical fitness of employees and to create, eliminate, or consolidate job classifications, departments, or operations of the employee;

(13) Control and regulate the use of all equipment and other property of the employer;

(14) Set and change work hours;

(15) Create, alter, combine, contract out, or abolish any job classification, department, operation, unit, or other division or service of the employer;

(16) Suspend, discharge, or otherwise discipline employees for cause, except that any action may be subject to the grievance procedure agreed to in the collective bargaining agreement;

(17) Issue and enforce rules, policies, and regulations necessary to carry out the provisions of this section and other managerial functions; and

(18) Recruit, retain, assign, manage, or limit the roles or responsibilities of volunteers and develop guidelines for volunteers under § 23–407 of this title.

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